

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

DARIN ROSS and FIONA ROSS,

Plaintiffs,

v.

**AARP, INC., AARP SERVICES, INC.,
GRUPO COOPERATIVO SEGUROS
MULTIPLES, COOPERATIVA DE
SEGUROS MULTIPLES DE PUERTO
RICO, SEDGWICK CLAIMS
MANAGEMENT SERVICES, INC.,
OVERSEAS INSURANCE AGENCY, INC.,
VERICLAIM, INC., and BYRON
GILCHREST,**

Defendants.

1:19-cv-00057-MEM-EAH

**TO: Pamela L. Colon, Esq.
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Eugenio W.A. Geigel-Simounet, Esq.
Richard H. Hunter, Esq.
Joshua D. Lerner, Esq.
Peter Tepley, Esq.
Victor G. Sanabria, Esq.**

ORDER

THIS MATTER comes before the Court on the Motion for Extension of Time to Answer the First Amended Complaint filed by Defendants Sedgwick Claims Management Services, Inc., Vericclaim, Inc., and Byron Gilchrest (collectively "Defendants"). Dkt. No. 208.

Plaintiffs filed their Amended Complaint on December 13, 2021. Dkt. No. 128. On December 16, 2021, Defendants filed a first motion for extension of time to answer. Dkt.

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No. 130. The Court granted this motion, and Defendants were required to respond by January 14, 2022. Dkt. No. 131. On January 14, 2022, Defendants filed a motion to dismiss. Dkt. No. 135. This motion was denied on September 29, 2022. Dkt. No. 201. Thus, on October 12, 2022, Defendants filed the instant motion for extension of time to file answer. Dkt. No. 208.

The motion requested until October 20, 2022 to respond.¹ *Id.* It noted that Plaintiffs agreed to the extension. *Id.*

Accordingly, the premises considered, and the Court otherwise being duly advised, it is hereby **ORDERED**:

1. Defendants' Motion for Extension of Time to Answer, Dkt. No. 208, is **GRANTED**.
2. This Order is issued nunc pro tunc to October 12, 2022.

ENTER:

Dated: March 15, 2023

/s/ Emile A. Henderson III
EMILE A. HENDERSON III
U.S. MAGISTRATE JUDGE

¹ The motion did not give any reason for the requested extension. Because the Court may only grant extension for good cause, it typically requires a showing of the same. *See* Fed. R. Civ. P. 6(b). Moreover, parties are not to assume that the Court will grant their motion, and should not sua sponte follow their own requested deadlines. Further, Defendants failed to comply with their own requested extension and filed answers on October 21, 2022. Dkt. Nos. 214, 215. However, in this instance, where the case has proceeded and it would be in the interests of judicial economy to grant the motion, the Court will excuse these instances of noncompliance.